



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/02/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.3527 of 2023

Rema ... Petitioner/Accused No.6

Vs

The Inspector of Police,
Thiruvidaimarudhur Police Station,
Thanjavur District.
Crime No.17 of 2023. ... Respondent/Complainant

For Petitioner : M/s.Alagumani R,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

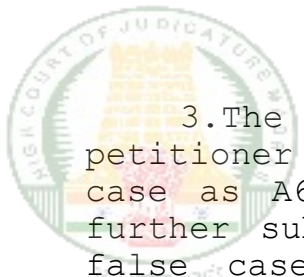
PRAYER :-

For Anticipatory Bail in Cr.No.17 of 2023 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 294(b)
and 307 IPC r/w Section 3 of Explosive Substances Act in Crime No.
17 of 2023, on the file of the respondent police, seeks anticipatory
bail.

2.The case of the prosecution is that on 05.01.2023 at about
05.00 p.m, some unidentified persons have thrown country bomb over a
Veerachola Shutters Compound. The de-facto complainant/VAO had
inspected the same on 07.01.2023 and gave a complaint before the
respondent police and on that basis, the present case came to be
registered against the petitioner.



3.The learned counsel for the petitioner would submit the petitioner is an innocent and she has been falsely roped in in this case as A6, since she happens to be the mother of A4. He would further submit that the respondent police have earlier registered false cases against the petitioner and her family members and thereby, the petitioner had sent representations to the State Human Rights Commission and other authority and antagonised by the same, the respondent police have falsely implicated the petitioner in this case. The petitioner's son A4 has been arrested and he is detained under Act 14 of 1982 and thereby, he would seek for anticipatory bail.

4.The learned Government Advocate (Crl. side) appearing for the respondent would submit that that the petitioner is the mother of A4. The accused are having several previous cases against them and as far as this petitioner is concerned, she has got one case registered for the offence under Section 302 IPC and another case registered for the offence under the Gambling Act and thereby, he would object for grant of anticipatory bail.

5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration of the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate Court, Thiruvidadaimaruthur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall stay at Madurai and report before the Inspector of Police, Y.Othakadai Police Station, Madurai, daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

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/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sj i

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
THIRUVIDAIMARUDHUR POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE INSPECTOR OF POLICE,
Y.OTHAKADAI POLICE STATION, MADURAI.

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-2749[I] dated 23/02/2023)

ORDER

IN

CRL OP(MD) No.3527 of 2023

Date : 23/02/2023